

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ASAF BEN OZ,

Plaintiff, : 09 Civ. 5532 (RJH) (HBP)

-against- : MEMORANDUM OPINION
AND ORDER

HARRY LOROWITZ,

Defendant. :

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PITMAN, United States Magistrate Judge:

Based on the attached letter from plaintiff's counsel, I conclude that my initial award of \$1,000.0 in counsel fees in connection with the discovery dispute that was the subject of my March 7, 2011 Order represents compensation at a rate of less than \$150 per hour for more than seven hours of work. Given plaintiff's counsel's experience, both this rate of compensation and the number of hours for which compensation is awarded is more than reasonable.

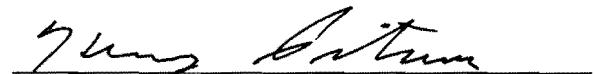
Accordingly, no later than May 4, 2011, defendant's counsel to remit to plaintiff's counsel the sum of \$1,000 as compensation, pursuant to Fed.R.Civ.P. 37(b) (2) (C), for the legal

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fees incurred by plaintiff in connection with the discovery dispute that was the subject of my March 7, 2011 Order.

Dated: New York, New York
April 20, 2011

SO ORDERED


HENRY PITMAN
United States Magistrate Judge

Copies transmitted to:

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March 29, 2011

By (212) 805-6111

Hon. Henry M. Pitman
United States District Court
Southern District of New York
500 Pearl Street
New York, New York

RE: BEN OZ v. LOROWITZ
09 CIV. 5532

Dear Judge Pitman:

We represent the plaintiff in the above matter.

We are responding to the Court's order dated March 29, 2011 directing plaintiff to submit by April 12, 2011 a response with respect to defense counsel's request that the \$1,000 award of legal fees be limited to \$500.

Plaintiff's counsel spent more than seven (7) hours assembling materials, making the motion and with follow-up letters.

My ordinary fee for regular clients who pay by the hour is \$500 per hour. Thus, the award of \$1,000, which is less than \$150 per hour, is extremely reasonable and accordingly, we do not believe the award should be reduced to \$500.

Respectfully yours,

David Jaroslawicz

DJ:rm
enclosure

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